

Appl. No. 10/682,443
Amdt. dated November 16, 2006
Reply to Office Action of August 16, 2006

REMARKS

This paper is submitted in response to the Office Action dated August 16, 2006 in which claims 1-26 and 32-42 were examined. Claims 27-31 and 43-47 were previously withdrawn from consideration. As a result of this Amendment, claims 1-26, 32-36, 39-42 and 48-49 are pending and claims 27-31 and 43-47 remain withdrawn from consideration. Applicants respectfully request reconsideration of the pending claims in light of amendments to selected claims and the remarks which follow.

The Office Action indicates that a double-patenting objection would be forthcoming should claims 37 and 38 be found allowable since they are substantially duplicates of claims 39 and 40. Applicants have cancelled claims 37 and 38 herein to avoid any future problem in this regard.

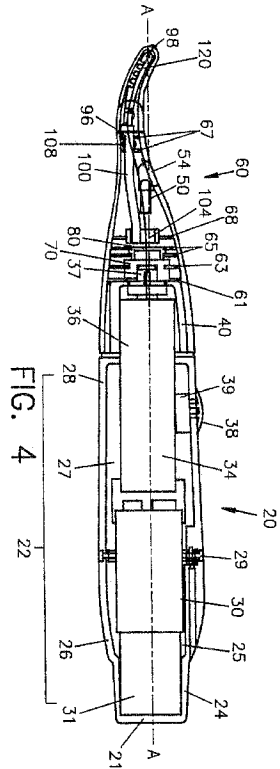
Claims 8 and 14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite with respect to specified language in the claims. Applicants have amended each of these claims to correct the identified problems and overcome the § 112 rejections.

Claims 1, 4, 5, 8, 12, 15-17, 19, 21, 23-25, 32, 37, 39 and 41 were rejected under § 102(b) as being anticipated by U.S. Patent No. 5,279,314 issued to Poulos. Additionally, claims 6, 9-11 and 34-36 were rejected under § 103(a) as being unpatentably obvious over Poulos. Moreover, claims 3, 20 and 26 were rejected under § 103(a) as being unpatentable over Poulos in view of U.S. Patent No. 5,799,674 issued to Ali. Finally, claims 2, 7, 13, 14, 18, 22, 33, 38, 40 and 42 were rejected under § 103(a) as being unpatentable over Poulos

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in view of U.S. Patent No. 5,348,473 issued to Kivlighan. Of the claims currently pending in the application, claims 1, 12, 21, 32, 39 and 41 are independent claims. Each of the prior art rejections identified in the Office Action rely solely on Poulos or upon Poulos as the primary reference. Therefore, Applicants have addressed the Poulos reference in this amendment to provide further novelty and nonobvious features to the pending claims in view of Poulos.

The Poulos reference discloses an electric dental flosser in which a floss filament 126 spans between tines 122, 124 of a U-shaped flossing tip 120. As best shown by Fig. 4 from the Poulos patent, a longitudinal axis A-A extends through the midline of the flosser 10. The tip 120 defines the tines 122, 124 and the placement of the floss filament 126 is aligned with the midline, longitudinal axis A-A as shown in Fig. 4.



Poulos'

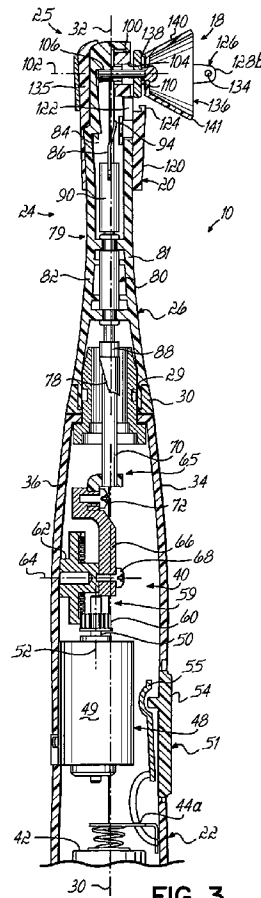


FIG. 3

Applicants'

Applicants' invention is a motorized flosser in which a yoke 126 has a pair of spaced tines 128a, 128b. The flexible flossing material 134 is held at the end portions 130a, 130b of the tines as shown in Fig. 3 reproduced below of Applicant's specification. The longitudinal axis 30, 32 extends along a midline of the flosser.

The orientation of the tines 128a, 128b position the flossing material 134 a spaced distance from the longitudinal axis and, in one particular embodiment of Applicants' invention, the tines are oriented generally perpendicular to the longitudinal axis. This configuration of the tines and placement of the floss relative to the longitudinal axis of the flosser is distinctly different from the device disclosed in Poulos as shown by a comparison of Fig. 4 from Poulos and Fig. 3 from Applicants' specification. The position of the floss relative to the longitudinal axis and the orientation of the tines provide significant advantages to Applicants' invention so that the floss can more easily and effectively be positioned between adjacent teeth in the user's mouth without interference of the tines or other structure of the flosser.

Each of the independent claims pending in this application have been amended herein to include a longitudinal axis and the above-described configuration and orientation of the tines and resulting spaced position of the floss relative to the longitudinal axis of the flosser. Applicants respectfully assert that this feature of Applicants' invention is both novel and nonobvious relative to Poulos and the other prior art of record. As a result, Applicants respectfully assert that the prior art rejections based solely or principally upon Poulos have been overcome.

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Conclusion

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicants do not believe that any fees are due in connection with this response. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

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